

**MINUTES
REGULAR MEETING
GREENWOOD COUNTY COUNCIL
TUESDAY, APRIL 6, 2021
4:00 P.M.**

MEMBERS PRESENT

Chairman Steven J. Brown, District Five
Vice-Chairman Chuck Moates, District Four
Councilwoman Edith Childs, District One
Councilman Mark Allison, District Two
Councilwoman Melissa Spencer, District Three
Councilman Robbie Templeton, District Six
Councilman Theo Lane, District Seven

STAFF PRESENT

Toby Chappell, County Manager (Attended Virtually)
Carson Penney, County Attorney
Susan McIntyre, Clerk to Council

CALL TO ORDER

Chairman Brown called the meeting to order at 4:00 p.m.

EXECUTIVE SESSION

Action may be taken on items discussed in executive session. At 4:00, Chairman Brown reported that Council would enter into Executive Session for the following reasons:

1. Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim. **(Legal Advice – Cares Act Leave; Legal Advice – Employee Leave; Legal Advice – Ordinance 2021-06; Contractual – Pratt Industries in Greenwood County; Contractual – Quit Claim Deed with Ninety Six CPW)**
2. Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body. **(Project Moon)**

Councilman Lane motioned to go into executive session, seconded by Councilwoman Childs, and the motion carried by a four to zero (4-0) vote. Chairman Brown announced that Councilman Templeton, Councilwoman Spencer and Vice Chairman Moates were absent from the beginning of the meeting, and there was a quorum to go into Executive Session. He added that the County Manager will join the meeting virtually.

ACTION: At 4:00pm, Council entered into executive session.

Councilman Templeton motioned extend Greenwood County's adoption of the Federal Covid Leave Allowance portion of the Families First Coronavirus Relief Act. The County's adoption will not include additional hours of leave time, and will specifically include the expanded permissible reasons for leave as follows:

- 1) an employee seeking or awaiting results of a diagnostic Covid test or medical diagnosis of Covid, after exposure to Covid-19.
- 2) an employee obtaining a Covid-19 immunization; and
- 3) employee recovering from injury, illness, disability, or a condition related to receiving a Covid-19 immunization.

This extension will remain in effect through September 30, 2021. Councilwoman Spencer seconded the motion as stated, and the motion carried by unanimous vote. Councilman Templeton motioned to exit the executive session, seconded by Vice Chairman Moates, and the motion carried by unanimous vote. All Councilmembers were in attendance for the Executive Session.

ACTION: Council adopted the extension of the Federal Covid Leave Allowance portion of the Families First Coronavirus Relief Act as stated and to be in effect through September 30, 2021. At 5:35pm, Council exited executive session.

BEGINNING OF REGULAR PUBLIC MEETING – 5:35pm

In accordance with the Freedom of Information Act, notice of this meeting's date, time, location, and agenda was posted outside the main entrances of the Greenwood County Courthouse and the Greenwood County Library. Agendas were distributed to the *Index-Journal*, local radio stations, and posted on the Greenwood County website calendar.

INVOCATION

Councilman Mark Allison, District Two, delivered the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited in unison.

Chairman Brown welcomed everyone to the Regular County Council public meeting. He thanked them for their attendance and called the Regular meeting to order.

APPROVAL OF THE MINUTES FOR MARCH 16, 2021 REGULAR MEETING

Chairman Brown stated that the minutes were provided prior to the meeting and asked if there were any corrections to the minutes.

There were no corrections. Councilwoman Spencer motioned to approve the minutes, seconded by Councilman Templeton, and the minutes were approved by a unanimous vote.

ACTION: Council approved the Minutes for the March 16, 2021 Regular Meeting.

PRESENTATION

Update from The Greenwood Promise, Katie Davenport and Ron Millender

Ms. Davenport presented an update which included a history of the inception of The Promise and the successes of Phase I to date. She gave a description of the requirements to be eligible for The Greenwood Promise and data that supports the successes to date. Ms. Davenport added some information regarding some of the added programs that are in partnership with four-year universities as a part of the Phase II. She added that the programs are based on the needs of Greenwood County, their economic needs as well as their industrial needs. She continued with a summary of the financial goals for Phase II in order to fund the program continually from year to year.

Chairman Brown recognized Dr. Steve Glenn, Superintendent of School District 50, and thanked him for his attendance. Chairman Brown also recognized Mr. Jeff Meredith, General Manager of Greenwood Commission of Public Works, and thanked him for his attendance at the meeting.

PUBLIC COMMENT (Sign-In Only)

Chairman Brown read the title to Ordinance 2021-06 in the Old Business section of this agenda. He called on the citizens who signed up to speak as follows:

Mr. Fletcher Anderson, 2416 Dixie Drive, Hodges, read a prepared letter written by Ms. Williams on behalf of neighbors in the area of the proposed ordinance as follows:

“Changing to allow a pistol, rifle, or skeet range within one mile of a residential area. All shooting is dangerous, but skeet shooting (throwing objects in the air and shooting at them) come on people let’s be real? If a person gets the okay to shoot pistols, you know they will stretch it to include rifles and shot guns. They will set up rules of their own. The last thing a quiet small town like Hodges needs is a shooting range! The area in question is on Hwy 25 North. This is a busy highway. The residents behind the area where the shooting would occur only knew of this because of a publication in The Index Journal. I live off Dixie Drive behind the area. Dixie Drive is a busy road! People ride bikes, drive and walk on this road. There is a trail where the railroad tracks were removed behind the area. Children ride 4-wheelers on it and homes are back there. A bullet travels and doesn’t care what it strikes. If someone is shot, it is too late to say I didn’t know the bullet would travel that far and I am sorry. Sorrow won’t bring a person back to life. A few years ago, a man was sitting on his porch on John’s Creek Road. A teen was shooting at a stop sign. The bullet traveled through trees and killed the man. It is not fair to residents in this area to fear taking a walk, riding a bike, driving down Dixie Drive, sitting outside, letting children ride the trails or sitting in their homes. A bullet can come out of anywhere. The noise is another nuisance. This would be awful! Hodges Elementary School went on lockdown numerous times because of noise from gunfire. It is sad how guns have become so fascinating to mankind. Allowing changes to this Ordinance would only encourage Greenwood County people to put gun ranges in their backyards, if they so desire without respect of safety for their neighbors. The only change to this Ordinance should be the distance of one mile from a residence. It should be three to five miles from a residence. If someone wants a gun range and etc., put it so far out in the woods that only Smokey Bear knows that they are shooting. There are plenty of uninhabited areas in Hodges. Gun stores in Greenwood that do CWP classes, take students out to another county in a deep wooded area to practice not in the backyard of the store. That is what needs to happen in this situation. Gun shots should be heard by the students and the trainer not by nearby residence. County Council, would you want a shooting range near your home? My neighbors and I don’t want a gun range in our neighborhood.” – Ms. Williams and neighbors

Mr. Anderson continued with his thoughts in opposition to the ordinance that supports the changes for a gun range. Chairman Brown gave further clarification and details of the request to be specific to a pistol range to train people on a certain day of the week for the safety use of pistols. Councilman Lane gave further explanation of the business that would be taking place using the shooting range that is being proposed.

Mr. Bobby Loggins, 3819 Hwy 25 N, Hodges, spoke in favor of the request and gave an explanation of his request and details of his business to hold safety classes for pistol training. He further described the logistics of shooting, bullet speeds and distances after being shot.

Mr. James Loggins, 105 Cornerstone Dr. Greenwood, spoke in favor of the request. He gave an explanation of the need to train pistols holders for safety purposes.

Ms. Risa Tolbert, 109 Daffodil Ln, Hodges, shared her thoughts about the close proximity of the range to the neighborhood. She further commented about her concerns for the children who play outside in the area, the noise in the area, and the absence of the information from the business who presented the request to the County. She stated that the neighbors would like to be informed of the safety measures, the hazards, and any decisions being made regarding the shooting range.

Mr. Ron Lowman, 107 Milling Ct., Greenwood, added his thoughts regarding the absence of training and safety classes in the area for guns. He gave additional information of the locations of shooting ranges in other counties that are a great distance from Greenwood County. He is in favor of the service that is needed locally for gun safety and instructions.

Chairman Brown closed this portion of the agenda and thanked everyone who spoke and shared their thoughts on the item that would be discussed later in the meeting.

OLD BUSINESS

A. Third Readings:

1. Ordinance 2021-04 to amend the Greenwood County Zoning Ordinance, being Ordinance 13-86, as and if amended, so that four parcels of land totaling approximately 140.86 acres, owned by Greenwood County, at 5730 Highway 25 North, in Hodges, South Carolina (GPIN #6930-157-834; 6930-172-696; 6930-326-859; 6930-308-770) change zoning classifications from RDD (Rural Development) to I-1 (Light Industrial). – Phil Lindler, Planning Director **THIRD READING**

Chairman Brown read the title. He reminded Council of the location of the property. He asked for the pleasure of Council. Councilman Allison motioned to approve the ordinance as presented, seconded by Councilman Lane, and the motion carried by unanimous vote.

ACTION: Council approved the Third and final Reading of Ordinance 2021-04 regarding 5730 Highway 25 North in Hodges, SC.

2. Ordinance 2021-05 to amend the Greenwood County Zoning Ordinance, being Ordinance 13-86, as and if amended, so that a 0.53 portion of land owned by Ellen S Bryant life estate, at 1316 Morgan Rd, in Hodges, South Carolina (GPIN #6911-579-564 - portion) change zoning classifications from RDD (Rural Development) to R-1 (Single Family Residential). – Phil Lindler, Planning Director **THIRD READING**

Chairman Brown read the title. He asked for the pleasure of Council. Councilman Lane motioned to approve the ordinance as presented, seconded by Councilwoman Childs, and the motion carried by unanimous vote.

ACTION: Council approved the Third and final Reading of Ordinance 2021-05 regarding 1316 Morgan Road in Hodges, SC.

3. Ordinance 2021-06 to amend the Greenwood County Zoning Ordinance Section 6-3-117(i), to change the standards to allow a pistol, rifle, or skeet range within one (1) mile of a residential use. – Phil Lindler, Planning Director **SECOND READING**

Chairman Brown read the title. He asked for the pleasure of Council. Councilman Lane motioned to approve, seconded by Councilman Templeton. He opened the floor for further discussion.

Chairman Brown stated that he does not feel that the recommendation from the Planning Commission gives an adequate opportunity to gain the permit to do what the business is requesting to do. He gave further clarification of the request and the process that would need to be taken for the business to proceed. He stated that he personally believed that now that Council is aware that there are other operations of this nature in Greenwood County, that it is incumbent upon Council to deny this recommendation from the Planning Board and work on a stand-alone ordinance to allow this request to proceed, as well as, make the other operations legal. He added that he would be voting against the recommendation. He also added that he feels like the training is needed, but County Council needs to address the concerns from the residents regarding safety.

Councilman Lane commented that he appreciated that Mr. Loggins brought the opportunity to Council to realize that the process was addressed in the correct way. He added that with the proper safeguards built in, which Mr. Loggins is clearly willing to do, this can be administered in a safe fashion. He further agreed that Council needs a comprehensive ordinance that addresses gun ranges. Councilwoman Childs commented in agreement with Chairman Brown that issue needs to be readdressed.

Chairman Brown reminded Council of the motion that the changes as presented being recommended by the Planning Commission to be approved on Third Reading. He added that if the motion is approved, it would require the business to go to the Board of Zoning Appeals to ask for a variance. If the motion is denied, the Ordinance will be formally denied, and Council will address the issue in another manner. He asked for

the vote by Council. The motion was denied by a two to five (2-5) vote by roll call, with Councilman Lane and Councilwoman Spencer voting in favor of the Ordinance, and Chairman Brown, Vice Chairman Moates, Councilwoman Childs, Councilman Allison, and Councilman Templeton voting opposed to the Ordinance.

ACTION: Council denied the request for Ordinance 2021-06 regarding the zoning standards for gun ranges.

Chairman stated that Council will begin work with the County Attorney and staff for recommendations to address the request and how to proceed to accommodate both sides of the issue.

NEW BUSINESS

- A. Consideration of H-Tax application for the Greenwood County Parks and Recreation Department in the amount of \$32,500 for expenses related to projects at Legion Field and construction of new Disc Golf course. – Brad Cuttill, Parks and Recreation Director

Chairman Brown read the title. Mr. Cuttill presented details of the request and introduced Dale Kittles, Athletic Director of the American Legion Post 20. He gave details of the phases of the projects at the American Legion field and their status. He described the project of building a disc golf course on the grounds and the funds that are needed for the project. Chairman Brown asked about the plans for tournaments at the Legion field. Mr. Kittles thanked Mr. Cuttill for his hard work getting things ready to be able to host the large tournament that will be held in 2022. Mr. Kittles gave details of the event, length of the event and proposed economic impact to Greenwood County. He added that they will have a regular season that will begin in June of 2021. There was further discussion regarding the possibility of other available funds for the projects, and that would be determined at a later time. Councilman Allison stated he would like to see Greenwood County offer support for the tournament when it comes in 2022. There was further discussion regarding the projects at the Legion Field and how they will be designed to work with the new plans of the Recreational Facility. It was confirmed that the Legion Field will not interfere with the new plans. Chairman Brown asked for the pleasure of Council. Councilman Templeton motioned to approve the request with the intention of finding other funding sources, seconded by Councilman Allison, and the motion carried by unanimous vote.

ACTION: Council approved the request for funding in the amount of \$32,500 for projects at the Legion Field and to pursue other options along with H-tax for this funding.

- B. Consideration of contract from Sean White Title Abstracting. – Steffanie Dorn, County Treasurer

Ms. Dorn presented the details for the contract and descriptions of the service provided. She added that the request was sent out for bid, and only one was received. She stated

that the new contract is for a three year term and has one year options for three additional years. Staff believes that the cost is a fair and reasonable proposal that has been presented. Chairman Brown asked for the pleasure of Council. Councilman Allison motioned to approve the request, seconded by Councilman Templeton, and the motion carried by unanimous vote.

ACTION: Council approved the contract from Sean White Title Abstracting as presented.

- C. Consideration of the Appointment of Special Tax District Commissioners for the following Subdivisions. – Steffanie Dorn, County Treasurer:

Cherokee Hills – Coleman Robinson (New), District Six
Cherokee Hills – Joy McWhorter (New), District Six
Cherokee Hills – Angela Robinson (New), District Six
Reynolds Colony – Elizabeth Owen (Reappointment), District Three
Winding Creek – Amy Chess (New), District Six

Ms. Dorn presented the request for appointments to various Special Tax Districts as presented. Chairman Brown asked for the pleasure of Council. Councilman Templeton motioned to approve the recommendations, seconded by Councilman Lane, and the motion carried by unanimous vote.

ACTION: Council approved the appointments to the Special Tax Districts as presented.

- D. Resolution 2021-12 designating April 2021 as Fair Housing Month. – County Council Chairman Steven J. Brown

Chairman Brown read the title and gave a brief description of the request. He asked for the pleasure of Council. Councilwoman Childs motioned to approve, seconded by Councilman Allison, and the motion carried by unanimous vote.

ACTION: Council approved Resolution 2021-12 regarding April 2021 as Fair Housing Month.

- E. Resolution 2021-13 committing to negotiate a Fee-In-Lieu of Ad Valorem Taxes Agreement between Greenwood County and Project Moon; identifying the Project; and other matters related thereto. – James Bateman, Economic Development Director

Chairman Brown read the title and stated that action on this item will be postponed.

- F. Execution of Quitclaim Deed granting easement to Ninety Six Commission of Public Works on County Right-Of-Way section of Business Park Road to install new waterline that will serve US Biomass and Mumford Industries. – James Bateman, Economic Development Director

Chairman Brown read the title and stated that action will be delayed on this item for further discussion and investigation into the Quitclaim Deed.

G. First Readings:

1. Ordinance 2021-07 to amend the Greenwood County Zoning Ordinance, being Ordinance 13-86, as and if amended, so that three parcels of land totaling approximately 31.89 acres, located on Gantt Road, in Greenwood South Carolina (GPIN #6865-797-175, 6865-863-106, and 6865-852-123) changes zoning classifications from AG-2 (Agricultural District) to R-2 (Single Family Residential) (Title Only). – Phil Lindler, Planning Director **FIRST READING**

Chairman Brown read the title in Title Only. Mr. Lindler gave a brief description and details of the ordinance as presented in the packet. He stated that the Planning Commission recommended to change all of the properties with the exception of one from AG-2 to R-2, and staff recommendation was approval of all of the properties as requested. There was further discussion regarding the location of the property that would be exempt from the change and the type of business that is being done on that piece of property. Mr. Lindler stated that the property owner could still operate his business on his property with the new classification as a home occupation within the requirements of that classification.

2. Ordinance 2021-08 to amend the Greenwood County Zoning Ordinance, being Ordinance 13-86, as and if amended, so that one parcel of land totaling approximately 41.85 acres, located at 3600 Old Laurens Road, in Greenwood South Carolina (GPIN #6858-685-894) changes zoning classifications from R1 (Low Density Residential) to I-1 (Light Industrial) (Title Only). – Phil Lindler, Planning Director **FIRST READING**

Chairman Brown read the title in Title Only. Mr. Lindler gave a brief description and details of the ordinance as presented in the packet. He explained that there was currently no County classification on the property, and the request is to change the classification from the City Code of R1 to I-1 which is Light Industrial. He added that the Planning Commission recommended approval.

3. Ordinance 2021-09 consenting to the conversion of an existing lease agreement between Greenwood County (The “County”) and a company known for the time being as “Project Lake” (The “Company”) to a Fee in Lieu of Tax Agreement pursuant to Title 12, Chapter 44, South Carolina Code, 1976, as amended; authorizing the execution and delivery of a Fee in Lieu of Tax (Conversion) Agreement by and between the County and the Company; Authorizing the reconveyance by the County to the Company of the property subject to such lease agreement; and other related matters (Title Only). – James Bateman, Economic Development Director **FIRST READING**

Chairman Brown read the title in Title Only. Mr. Bateman gave explanation to Council during the Executive Session of the meeting.

PENDING

None

DISTRICT REPORT

District One – Edith Childs

- Ms. Childs reminded Council that the Clean Up for District One will be April 10th from 9:00am to 11:00am from Highway 10 to Morton Road. The rain schedule will be April 17th.
- She challenged her fellow Councilmembers to give a donation or purchase a brick for the Boys and Girls Club. She recognized that Duke Energy advertised that they had donated some money to the Boys and Girls Club.
- She recognized Habitat for Humanity for their work in constructing two houses on the west side of town.

District Two – Mark Allison

- No report.

District Three – Melissa Spencer

- No report.

District Four – Chuck Moates

- Mr. Moates reported that he would like to recognize the Lander Lady Bearcats with a Proclamation at the next meeting.

District Six – Robbie Templeton

- No report.

District Seven – Theo Lane

- Mr. Lane added that the Lander Lady Bearcats finished 3rd in the country, the highest post season rating they have accomplished in their history.
- He added that Senator Gambrell said the State would also be presenting them with a proclamation.
- He thanked Council for their attention and deliberation to the gun range issue.

District Five – Steven J. Brown

- Mr. Brown reported that a group of people are meeting under the auspices of Greenwood Vision which is staffed by Kay Self. They are looking at Broadband expansion throughout Greenwood County.
- He reported that Sabrina Miller from the Boys and Girls Club has invited Council to take a tour of the Josh Norman Center.
- He asked Council to keep Mr. Chip French and his family in their prayers as they mourn the loss of his daughter. Mr. French is a former elected official who served on the school board.

MANAGER’S REPORT, County Manager Toby Chappell

No report.

COUNTY ATTORNEY REPORT, Carson Penney

No report.

CLERK TO COUNTY COUNCIL, Susan McIntyre

No report.

ADJOURNMENT

Chairman Brown adjourned the meeting at 7:05pm.

Susan McIntyre, Clerk to Council, transcribed the minutes.